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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,197	11/21/2003	Peter Ledel Gammel	23-39-4-8	2988
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Ryan, Mason & Lewis, LLP 90 Forest Avenue Locust Valley, NY 11560			EXAMINER SOWARD, IDA M	
			ART UNIT 2822	PAPER NUMBER

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/719,197

Applicant(s)

GAMMEL ET AL.

Examiner

Ida M. Soward

Art Unit

2822

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-23 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

This Office Action is in response to the application filed November 21, 2003.

### *Drawings*

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4)

because:

1. reference character "216" has been used to designate both a conductive trace and a connection on pages 8 and 9, lines 28 and 8, respectively;
2. reference character "262" has been used to designate both a thin oxide layer and a metal interconnection on pages 8 and 9, lines 14 and 11-12, respectively; and
3. reference character "264" has been used to designate both a field oxide region and a metal contact on pages 8 and 9, lines 13 and 13, respectively.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the

Art Unit: 2822

changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The abstract of the disclosure is objected to because "**comprises**" should have been **includes** on page 16, lines 2 and 6. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 11, 13-14, 17 and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Pio et al. (US 6,268,633 B1).

In regard to claims 1 and 14, Pio et al. teach a metal-oxide-semiconductor device, comprising: a semiconductor layer 1 of a first conductivity type; first and second source/drain regions 6/7/8/9 of a second conductivity type formed in the semiconductor layer 1 proximate an upper surface of the semiconductor layer 1 and spaced laterally apart relative to one another, the first and second source/drain regions 6/7/8/9 being formed in an active region of the device; a gate 4 formed above the semiconductor layer

1 proximate the upper surface of the semiconductor layer 1 and at least partially between the first and second source/drain regions 6/7/8/9 the gate 4 being configured such that a dimension of the gate 4, defined substantially parallel to at least one of the first and second source/drain regions 6/7/8/9, is confined to be substantially within the active region of the device; and an isolation structure 12 formed in the semiconductor layer 1, the isolation structure 12 being configured to substantially isolate one or more portions of the first source/drain region 6/7 from corresponding portions of the second source/drain region 8/9 (Figures 1-3 and 7, columns 3 , lines 3-22 and 53-57, respectively).

In regard to claims 2, 17 and 22, the isolation structure 12 in the metal-oxide-semiconductor device as taught by Pio et al. is capable of substantially preventing an inversion layer from being formed between the first and second source/drain region when the device is turned off. Moreover, claims directed to apparatus must be distinguished from the prior art in terms of structure rather than function, *In re Danly*, 263, F.2d 844, 847, 120 USPQ 528, 531 (CCPA 1959). Apparatus claims cover what a device is, not what a device does. *Hewlett-Packard Co. v. Bausch & Lomb Inc.*, 909 F.2d 1464, 1469, 15 USPQ2d 1525, 1528 (Fed. Cir. 1990).

In regard to claim 11, Pio et al. teach the device comprising a diffused MOS (DMOS) device (Figure 8 and 10).

In regard to claim 13, Pio et al. teach an active region of the device substantially defined within a thin insulating region of the device (between first and second source/drain regions (Figure 2).

In regard to claim 21, Pio et al. teach an integrated circuit including at least one a metal-oxide-semiconductor device (abstract), the at least one MOS device comprising: a semiconductor layer 1 of a first conductivity type; first and second source/drain regions 6/7/8/9 of a second conductivity type formed in the semiconductor layer 1 proximate an upper surface of the semiconductor layer 1 and spaced laterally apart relative to one another, the first and second source/drain regions 6/7/8/9 being formed in an active region of the device; a gate 4 formed above the semiconductor layer 1 proximate the upper surface of the semiconductor layer 1 and at least partially between the first and second source/drain regions 6/7/8/9 the gate 4 being configured such that a dimension of the gate 4, defined substantially parallel to at least one of the first and second source/drain regions 6/7/8/9, is confined to be substantially within the active region of the device; and an isolation structure 12 formed in the semiconductor layer 1, the isolation structure 12 being configured to substantially isolate one or more portions of the first source/drain region 6/7 from corresponding portions of the second source/drain region 8/9 (Figures 1-3 and 7, columns 3, lines 3-22 and 53-57, respectively).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pio et al. (US 6,268,633 B1) as applied to claims 1-2, 11, 13-14, 17 and 21-22 above, and further in view of Kwon et al. (US 2003/0058027 A1).

Pio et al. teach all mentioned in the rejection above.

However, Pio et al. fail to teach the isolation structure comprising a guard ring formed in the semiconductor layer proximate the upper surface of the semiconductor layer between at least the one or more portions of the first and second source/drain regions the guard ring being of the first conductivity type.

Kwon et al. teach an isolation structure FOX & GD comprising a guard ring GD formed in a semiconductor layer P-sub proximate an upper surface of the semiconductor layer P-sub between at least the one or more portions of the first and second source/drain regions S1, D1, S2, D2, S3 & D3, S4, D4, S5, D5, the guard ring GD being of the first conductivity type (Figures 8-9, pages 3-4, paragraphs [0040]-[0042]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the metal-oxide-semiconductor device structure as taught by Pio et al. with the metal-oxide-semiconductor device having an isolation structure comprising a guard ring formed in the semiconductor layer proximate the upper surface of the semiconductor layer between at least the one or more portions of the first and second source/drain regions the guard ring being of the first conductivity type as taught by Kwon et al. to provide a semiconductor device capable of reducing the effect parasitic bipolar transistors (page 4, paragraph [0041]).

Claims 4-5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pio et al. (US 6,268,633 B1) and Kwon et al. (US 2003/0058027 A1) as applied to claims 3, 15 and 23 above, and further in view of Ohuchi et al. (3,886,579).

Pio et al. and Kwon et al. teach all mentioned in the rejection above. However, Pio et al. and Kwon et al. fail to teach an impurity concentration of a guard ring substantially matched to an impurity concentration of a semiconductor layer, wherein the impurity concentration of the guard ring is in a range of  $10^{18}$  to about  $10^{19}$  atoms per cubic centimeter.

In regard to claims 4 and 16, Ohuchi et al. teach an impurity concentration of a guard ring 5 (Figure 2, column 5, lines 19-21) substantially matched to an impurity concentration of a semiconductor layer 3 (Figure 2, column 4, lines 4-7).

In regard to claim 5, Ohuchi et al. teach the impurity concentration of the guard ring 5 being  $10^{19} - 10^{20} \text{ cm}^{-3}$  (column 5, lines 19-20), which is in a range of  $10^{18}$  to about  $10^{19}$  atoms per cubic centimeter.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the semiconductor device structure as taught by Pio et al. and the semiconductor device having an isolation structure comprising a guard ring formed in the semiconductor layer proximate the upper surface of the semiconductor layer between at least the one or more portions of the first and second source/drain regions the guard ring being of the first conductivity type as taught by Kwon et al. with the semiconductor device having an impurity concentration of a guard

Art Unit: 2822

ring substantially matched to an impurity concentration of a semiconductor layer, wherein in the impurity concentration of the guard ring is in a range of  $10^{18}$  to about  $10^{19}$  atoms per cubic centimeter as taught by Ohuchi et al. to provide a semiconductor device capable of having a high response speed (column 2, lines 12-14 and 21-24).

Claims 6 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pio et al. (US 6,268,633 B1) as applied to claims 1-2, 11, 13-14, 17 and 21-22 above, and further in view of Gardner et al. (US 6,218,720 B1).

Pio et al. teach all mentioned in the rejection above.

However, Pio et al. fail to teach an isolation structure comprising at least one trench in a semiconductor layer formed between at least one or more portions of a first and second source/drain regions.

Gardner et al. teach an isolation structure 210 & 216 comprising at least one trench 216 in a semiconductor layer 200 formed between at least one or more portions of a first and second source/drain regions (Figure 12, column 8, lines 59-67).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the metal-oxide-semiconductor device structure as taught by Pio et al. with the metal-oxide-semiconductor device having an isolation structure comprising at least one trench formed between at least one or more portions of a first and second source/drain regions as taught by Gardner et al. to provide a metal-oxide-semiconductor device that substantially prevents the migration of dopants from adjacent active regions (column 4, lines 23-25).

Claims 7, 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pio et al. (US 6,268,633 B1) as applied to claims 1-2, 11, 13-14, 17 and 21-22 above, and further in view of Kwon et al. (US 2003/0058027 A1).

Pio et al. teach all mentioned in the rejection above.

However, Pio et al. fail to teach at least one of the one or more portions of the first and second source/drain regions comprising an end of the at least one of the first and second source/drain regions along a dimension substantially orthogonal to the gate; and the gate comprising a connection area for providing electrical connection to the gate, the connection area being proximate a middle portion of the gate along the dimension of the gate defined substantially parallel to at least one of the first and second source/drain region.

In regard to claim 7, Kwon et al. teach at least one of the one or more portions of the first and second source/drain regions S1,S3,S3/D1,D2 & S4,S5/D3,D4,D5 comprising an end of the at least one of the first and second source/drain regions S1,S3,S3/D1,D2 & S4,S5/D3,D4,D5 along a dimension substantially orthogonal to the gate 73/73', 74/74', 75/75' & 76/76' (Figure 8, pages 3-4, paragraphs [0040]-[0041]).

In regard to claims 9 and 20, Kwon et al. teach the gate 73/73', 74/74', 75/75' & 76/76' comprising a connection area (connected to VDD) for providing electrical connection to the gate 73/73', 74/74', 75/75' & 76/76', the connection area (connected to VDD) being proximate a middle portion of the gate 73/73', 74/74', 75/75' & 76/76' along the dimension of the gate 73/73', 74/74', 75/75' & 76/76' defined substantially parallel to

at least one of the first and second source/drain region S1,S3,S3/D1,D2 & S4,S5/D3,D4,D5 (Figure 8, pages 3-4, paragraphs [0040]-[0041]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the metal-oxide-semiconductor device structure as taught by Pio et al. with the metal-oxide-semiconductor device having at least one of the one or more portions of the first and second source/drain regions comprising an end of the at least one of the first and second source/drain regions along a dimension substantially orthogonal to the gate as taught by Kwon et al. to provide a metal-oxide-semiconductor device that has a configuration of a protected output circuit page 3, paragraphs [0032] and [0039]).

Claims 8 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pio et al. (US 6,268,633 B1) as applied to claims 1-2, 11, 13-14, 17 and 21-22 above, and further in view of Patelmo et al. (US 6,420,769 B2).

Pio et al. teach all mentioned in the rejection above.

However, Pio et al. fail to teach a gate comprising a polysilicon layer and a salicide layer formed on at least a portion of the polysilicon layer.

Patelmo et al. teach a gate 43d comprising a polysilicon layer and a salicide layer 57d formed on at least a portion of the polysilicon layer (Figure 23, column 6, lines 36-46).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the metal-oxide-semiconductor device

Art Unit: 2822

structure as taught by Pio et al. with the metal-oxide-semiconductor device having a gate comprising a polysilicon layer and a salicide layer formed on at least a portion of the polysilicon layer as taught by Patelmo et al. to reduce the resistance in series at the transistors (column 1, lines 22-36).

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pio et al. (US 6,268,633 B1) as applied to claims 1-2, 11, 13-14, 17 and 21-22 above, and further in view of Lai et al. (US 6,635,946 B2).

Pio et al. teach all mentioned in the rejection above.

However, Pio et al. fail to teach the first source/drain region comprising a source of the device and the second source/drain region comprising a drain of the device.

Lai et al. teach a first source/drain region 114a comprising a source of the device and a second source/drain region 114b comprising a drain of the device (Figure 1E, columns 65-66, lines 1-5).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the metal-oxide-semiconductor device structure as taught by Pio et al. with the metal-oxide-semiconductor device having a source/drain region comprising a source of the device and a second source/drain region comprising a drain of the device as taught by Lai et al. to form source and drain regions by conventional processes (column 3, lines 65-67).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pio et al. (US 6,268,633 B1) as applied to claims 1-2, 11, 13-14, 17 and 21-22 above, and further in view of Yang (US 6,306,711 B1).

Pio et al. teach all mentioned in the rejection above.

However, Pio et al. fail to teach a device comprising a laterally diffused MOS (LDMOS) device.

Yang teaches a device comprising a laterally diffused MOS (LDMOS) device (Figure 4E, column 2, lines 49-52).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the metal-oxide-semiconductor device structure as taught by Pio et al. with the metal-oxide-semiconductor device being a laterally diffused MOS (LDMOS) device as taught by Yang to provide a high voltage semiconductor device (column 2, lines 19-24 and 49-52).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to metal-oxide-semiconductor devices:

Chen et al. (US 2004/0031998 et al. )      Countryman, Jr. et al. (4,380,866)

Marshall et al. (US 6,773,972 B2)      Peng et al. (US 2004/0004231 A1)

Smayling et al. (5,917,222)      Tsao et al. (6,143,594).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ida M. Soward whose telephone number is 571-272-1845. The examiner can normally be reached on Monday - Thursday 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on 571-272-1852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMS  
March 29, 2005

*Ida M. Soward*  
*A.U. 2822*